



Bobby Jindal
Governor

STATE OF LOUISIANA

LOUISIANA CEMETERY BOARD

3445 N. CAUSEWAY BOULEVARD, SUITE 700
METAIRIE, LOUISIANA 70002-3758
TELEPHONE 504-838-5267 TOLL FREE 1-866-488-5267 FAX 504-838-5289

Lucy L. McCann
Director

NOTICE OF MEETING

There will be a meeting of the LOUISIANA CEMETERY
BOARD on Friday, November 8, 2013, 9:00 A. M., 3519
12th Street, (Louisiana Motor Vehicle Commission Building)
Metairie, Louisiana

AGENDA
LOUISIANA CEMETERY BOARD
November 8, 2013

1. **Call to order – 9:00 A.M.**
2. **Introductions**
3. **Public Comment**
4. **Approval of Minutes of Board Meetings – May 17, 2013 and July 2, 2013 (TOPIC #1)**
5. **Reports of Officers**

Chairman

Vice-Chairman

Secretary/Treasurer (TOPIC #2)

- a) Statement of Operations January through October 31, 2013
- b) Cash & Investments as of October 31, 2013
- c) Budget vs. Actual January through October 2013
- d) 2013 Proposed Budget Amendments
- e) Projected Budget for January 1, 2014 through December 31, 2014
- f) Legal Litigation Escrow Account
- g) Long Term Liabilities and Extra Ordinary Expenses Account
- h) Consideration of 2014 per contract filing fee pursuant to Act 98

6. **Report of Director**

Pending Applications for Certificates of Authority / Cemetery Sales & Management Organizations / Renewals

- a) Garden of Memories of Alexandria, Inc. d/b/a Garden of Memories of Alexandria, Alexandria, LA - Pending Application for Certificate of Authority for the change in ownership
- b) Christensen Properties, L.L.C. d/b/a DeQuincy Memorial Park, DeQuincy, LA - Pending Application for Certificate of Authority for the change in ownership
- c) Highland Cemeteries, Inc. d/b/a Highland Cemeteries, Mansfield, LA – Pending Application for Certificate of Authority for the change in ownership
- d) Roselawn Memorial Gardens, Inc. d/b/a Roselawn Memorial Gardens, Calhoun, LA – Pending Application for Certificate of Authority for the change in ownership
- e) Bethel United Methodist Church, Incorporated d/b/a Bethel United Methodist Church Cemetery, Pride, LA – Pending Application for Certificate of Authority for the establishment of a new cemetery
- f) Congregation of St. Michael's Roman Catholic Church, Kleinwood, Louisiana d/b/a St. Michael Church Cemetery, Bordelonville, LA – Pending Application for Certificate of Authority changing from an Exempt status to a Non-Exempt status

- g) Tangipahoa Cemetery Association, Inc. d/b/a Tangipahoa Cemetery, Tangipahoa, LA - Pending Application for Certificate of Authority changing from an Exempt status to a Non-Exempt status **(TOPIC #3)**
- h) St. Matthews Benevolent Association, Inc. d/b/a St. Matthews Cemetery, New Iberia, LA - Pending Application for Certificate of Authority changing from an Exempt status to a Non-Exempt

Perpetual Care & Merchandise Trust Funds / Storage Facilities

- a) Tangipahoa Cemetery Association, Inc. d/b/a Tangipahoa Cemetery, Tangipahoa, LA – Perpetual Care Trust Fund **(TOPIC #3)**
- b) Pythian Cemetery Association d/b/a Pythian Cemetery, Bunkie, LA – Perpetual Care Trust Fund **(TOPIC #4)**
- c) Lawrence Serenity Sanctum, Inc. d/b/a Lawrence Serenity Sanctum, Natchitoches, LA – Report regarding On-site Examination of Perpetual Care Trust Fund **(TOPIC #5)**
- d) Fern Park Cemetery, Inc. d/b/a Fern Park Cemetery Natchitoches, LA – Report regarding On-site Examination of Perpetual Care Trust Fund **(TOPIC #6)**
- e) George Washington Carver Memorial Park, Inc. d/b/a George Washington Carver Memorial Park, Ruston, LA – Report regarding On-site Examination of Perpetual Care and Merchandise Trust Funds **(TOPIC #7)**
- f) Azalea Rest, Inc. d/b/a Azalea Rest Cemetery, Zachary, LA – Perpetual Care Trust Fund
- g) Bellevue Memorial Park, Inc. d/b/a Bellevue Memorial Park, Opelousas, LA – Perpetual Care Trust Fund
- h) Northwestern Mutual Wealth Management Company – Delinquent trustee reports

Consumer Complaints

Mausoleums or Similar Structures

Applications for Pre-Construction Sales Projects **(TOPIC #8)**

- a) Immaculate Conception Roman Catholic Church d/b/a Lakeland Cemetery, Lakeland, LA – Garden Mausoleum No.1 – Phase 2
- b) St. Leo Roman Catholic Church d/b/a St. Leo Cemetery, Leonville, LA – Garden Mausoleum No. 8
- c) Congregation of Sacred Heart Roman Catholic Church of the Parish of Avoyelles d/b/a Sacred Heart Cemetery #2, Moreauville, LA – Garden Mausoleum
- d) St. Mary Magdalen Parish, Inc. d/b/a St. Paul Cemetery, Abbeville, LA – Garden Mausoleum
- e) St. Rita Roman Catholic Church d/b/a Our Lady of the Lake Cemetery, Catahoula, LA – Garden Mausoleum
- f) Greenwood Memorial Park, L.L.C. d/b/a Greenwood Memorial Park, Pineville, LA – Garden Mausoleum
- g) Our Lady of Peace Roman Catholic Church d/b/a Our Lady of Peace Cemetery, Vacherie, LA – Garden Mausoleum #5 – Phase 1
- h) St. Joseph Roman Catholic Church d/b/a St. Joseph Cemetery, Chauvin, LA – Garden Mausoleum – Phase 4

Administrative / General

- a) Ethics Training
- b) Status Report regarding 2013 Request for Information on Exempt Certificate of Authority to determine if exemption previously granted should be continued
- c) 2014 Meeting Dates **(TOPIC #9)**
- d) Status Report regarding promulgation of Rules & 2013 Legislative Session – Act 77 **(TOPIC #10)**
- e) Appointments to Board
- f) Revised Report of Perpetual Care Endowed Care Trust Fund Form **(TOPIC #11)**
- g) Revised Report of Cemetery Merchandise and Services **(TOPIC #12)**
- h) Revised Report of Trustee and Report of Cemetery Authority **(TOPIC #13)**
- i) Revised Report of Trustee – Merchandise Trust Fund **(TOPIC #14)**
- j) Revised On-site Examination Report **(TOPIC #15)**

Ratification of Certificates of Authority issued:

2013 Non-Exempt (New/Transfers):

- a) #13-511 – Sand Hill Cemetery Association, Inc. d/b/a Sand Hill Cemetery, Ponchatoula, LA
- b) #13-514 – Heavenly Gates Cemetery of Baton Rouge, L.L.C. d/b/a Heavenly Gates Cemetery, Baton Rouge, LA
- c) #13-515 – Congregation of Saint Jules Roman Catholic Church of the Parish of St. Mary, Louisiana d/b/a St. Jules Cemetery, Franklin, LA
- d) #13-516 – Living Word Christian Fellowship Full Gospel, Incorporated d/b/a Living Word Cemetery, Breaux Bridge, LA
- e) #13-518 - Town of Amite City d/b/a Amite Memorial Gardens, Amite, LA
- f) #13-519 – Town of Amite City d/b/a New Butler Cemetery, Amite, LA
- g) #13-520 – Congregation of St. Peter Roman Catholic Church of Avoyelles d/b/a St. Peter Cemetery, Bordelonville, LA

2013 Non-Exempt (Renewals):

- a) #13-512 - #13-513
- b) #13-517

Exempts (New):

- a) #1321E – Ellis Cemetery Association, Inc. d/b/a Ellis Cemetery, Franklinton, LA
- b) #1322E – George Lee Gunter d/b/a Gunter's Cemetery, Mer-Rouge, LA
- c) #1323E – Russell Felps Kent, Jr. d/b/a Kent Family Cemetery, Clinton, LA
- d) #1324E – William B. Reily University United Methodist Church d/b/a Memorial Garden at University United Methodist Church, Baton Rouge, LA
- e) #1325E – Open Door Community Church, Inc. d/b/a Open Door Community Church Prairie View Cemetery, Deville, LA
- f) #1326E – Karen Kay Hunt Whitney Varnado d/b/a Hunt Cemetery, Franklinton, LA
- g) #1327E – Harold H King d/b/a King Family Cemetery, Denham Springs, LA
- h) #1328E – Lamb N. Hatten d/b/a Nolan and Marie Family Cemetery, Columbia, LA
- i) #1329E – Grover Edward White, Jr. d/b/a Heavens Midway Cemetery, Kentwood, LA

- j) #1330E – Carroll L. Boudreaux d/b/a St. Joseph Boudreaux/Broussard Family Cemetery, Loreauville, LA
- k) #1331E – Ernest Wehunt, Jr. d/b/a Johnson/Wehunt Cemetery, Colfax, LA
- l) #1332E – Leroy Kent d/b/a Kents Family Cemetery, Greensburg, LA
- m) #1333E – Edwin A. Bell d/b/a The Lonesome Pine Cemetery, Lake Charles, LA
- n) #1334E - Jessie Ellis d/b/a Ellis Family Cemetery, Krotz Springs, LA

On-Site Examinations performed since last Board Meeting

Perpetual Care (14) - Merchandise Trust Funds (4)

7. Reports of Committees

Executive Committee

Administrative Committee

Examination & Inspection Committee

- a) Comments on Review **(TOPIC #16)**

Rules and Regulations Committee

8. Old Business

- a) Forest Park East Associates, Inc. d/b/a Forest Park Cemetery, Shreveport, LA & Forest Park West Associates, Inc. d/b/a Forest Park West Cemetery, Shreveport, LA – Status Report regarding Consent Agreement, maintenance issues, and 2011 On-site Examination of Perpetual Care and Merchandise Trust Funds **(TOPIC #17)**
- b) Evangeline Memorial Park Incorporated d/b/a Evangeline Memorial Park, Ville Platte, LA – Status Report regarding Order issued in Administrative Hearing #2010-001, and 2013 On-site Examination of Perpetual Care Trust Fund **(TOPIC #18)**
- c) Bellevue Memorial Park, Inc. d/b/a Bellevue Memorial Park, Opelousas, LA – Status Report regarding On-site Examination of Perpetual Care and Merchandise Trust Funds
- d) Bellevue Memorial Park, Inc. d/b/a Holy Sepulcher Mausoleum, Opelousas, LA – Status Report regarding On-site Examination of Perpetual Care Trust Fund
- e) Alexandria Garden of Memories, Inc. – Status Report regarding Order issued in Administrative Hearing #2008-002
- f) Restlawn Park Cemetery, Inc. d/b/a Restlawn Park Cemetery, Avondale, LA - Status Report regarding On-site Examination of Perpetual Care and Merchandise Trust Funds
- g) Parklawn Memorial Management, LLC d/b/a Parklawn Memorial Gardens, Hammond, LA - Status Report regarding On-site Examination of Perpetual Care Trust Fund
- h) Rose Memorial Park Cemetery, Inc. d/b/a Rose Memorial Park, Hammond, LA – Status Report regarding On-site Examination of Perpetual Care Trust Fund **(TOPIC #19)**

9. **New Business**

- a) Service Corporation International (“SCI”) pending acquisition of Stewart Enterprises, Inc. (“STEI”) **(TOPIC #20)**
- b) Discussion regarding possible casket sales by cemeteries

10. **Executive Session**

- a) State of Louisiana and the Louisiana Cemetery Board versus Stephanie Means Green, Denise Baranco, Wayne A. Matthews, Sr., Ronald R. Matthews, Dollie Matthews, Darryl G. Baranco, Sr., Mignon Baranco Fontenette, June B. Gumbel, Joseph S. Baranco, Jr., Christopher P. Baranco, Robert G. Baranco, III, Ramon M. Baranco, Schyvanda T. Baranco, Edith B. Baranco, David Brian Baranco, Sr., Nineteenth Judicial District Court, Parish of East Baton Rouge, Docket No. 613710, Section 24
- b) Investigation of Arcola-Roseland Cemetery Association d/b/a Arcola-Roseland Cemetery, Roseland, LA and State of Louisiana by and through the Louisiana Cemetery Board versus Marsha M. Reid and James A. Reid d/b/a Arcola-Roseland Cemetery d/b/a Arcola-Roseland Cemetery Association, Docket No. 2013-0000295, Division F, Twenty-First Judicial District Court, Parish of Tangipahoa – Alleged violation of Title 8 for operating without a valid license and violation of the Cease & Desist Order issued by the Attorney General on August 2, 2011, and lawsuit to enforce subpoenas.
- c) Investigation of Lake Bethlehem Baptist Church Cemetery, Shreveport, LA and State of Louisiana by and through the Louisiana Cemetery Board versus Lake Bethlehem Baptist Church Cemetery, Docket No. 564013, First Judicial District Court, Parish of Caddo – Alleged violation of Title 8 for operating without a valid license and lawsuit to enforce a subpoena.
- d) Investigation of Blue Lily Cemetery, Thibodaux, LA, and State of Louisiana by and through the Louisiana Cemetery Board versus Willie Newton and Newton Vault, L.L.C., Thirty-Second Judicial District Court, Terrebonne Parish – Alleged violation of Title 8 for operating without a valid license and lawsuit to enforce subpoena.
- e) Investigation of Zachary Public Cemetery, Zachary, LA, State of Louisiana by and through the Louisiana Cemetery Board versus Bobby Snowden, Docket No. 617-979, Sec. 24, Nineteenth Judicial District Court; State of Louisiana by and through the Louisiana Cemetery Board versus Jesse Spears, Docket No. 617-978, Div. D, Nineteenth Judicial District Court; State of Louisiana by and through the Louisiana Cemetery Board versus Robert L. Stewart, Docket No. 617-977, Sec. 23, Nineteenth Judicial District Court – Alleged violation of Title 8 for operating without a valid license and three suits to enforce subpoenas.
- f) State of Louisiana by and through the Louisiana Cemetery Board versus Highland Cemeteries, Inc. d/b/a Highland Cemetery, Ann Williams Birdwell, Kevin Higdon, and H&H Funeral Services, Inc., Docket No. 74612, Division B, Forty-Second Judicial District Court, Parish of DeSoto – Alleged violation of Title 8 for failing to complete application for certificate of authority and for operating without a license. Petition seeks to close the cemetery.
- g) State of Louisiana by and through the Louisiana Cemetery Board Intervention in the matter of Marquee Acquisitions, L.L.C. versus Progressive Sales Incorporated and Our Lady of Prompt Succor of Westwego Docket No. 698-934, Division B, 24th Judicial District Court, Parish of Jefferson
- h) Review of staff performance